

— seconded that we close debate. All in favor?

[There is a very weak chorus of ayes.]

VICE PRESIDENT HARRIS: All in favor of closing debate?

[There is a slightly stronger chorus of ayes.]

Opposed?

[No response.]

VICE PRESIDENT HARRIS: We are voting on the substitute. Or should we vote on the entire amended version?

DELEGATE SHELTON: The entire amended version.

VICE PRESIDENT HARRIS: Okay, the entire amended version now reads, "All employees shall be guaranteed equal pay for equal work and equal pay for comparable work."

All in favor of that new section --

VOICE: We don't have a quorum.

[Pause for quorum count.]

VICE PRESIDENT HARRIS: Can you call for someone out there to come in? We need one more person.

[Brief off the record to structure quorum.]

DELEGATE MARCUS: Point of information. Point of information.

VICE PRESIDENT HARRIS: Will the maker of the motion and the maker of the substitute motion, Mr. Jackson, Ms. Shelton,

you may want to think for one minute about a definition of the word "employees." It has been the practice in some places for the word "employees" to be an excuse to exclude independent contractors from the right for equal pay for equal work or for equal pay for comparable work.

So before we vote, if you would accept this, I would offer a friendly amendment to change the word "employees" to "persons."

[Pause.]

VOICE: All persons.

DELEGATE MARCUS: Is that acceptable?

VICE PRESIDENT HARRIS: It did not say that in Economic Development. Is there any further discussion on the word "persons"?

DELEGATE SHELTON: [Inaudible] [She accepts the proffered word change.]

[At this point, Chairperson having side discussion, most of the people on the floor also having side discussions.]

DELEGATE SHELTON: That seems to be our concept, you know, and we wholeheartedly accept the concept. There is a certain body of law and a certain body of already-existing momentum for certain parts of this if you want to piggy-back on that rather than make some changes. It has to do with those

people who are employees and in some situations, a contractor can fit under the definition of a lawyer as an employee and so that I don't think that that change is necessary.

VICE PRESIDENT HARRIS: So are we leaving it as is?

DELEGATE SHELTON: Yes.

VICE PRESIDENT HARRIS: Okay. Move it as is, please.

[A motion is made and seconded.]

VICE PRESIDENT HARRIS: All in favor of --

Do we have a quorum here?

[Another pause for quorum count. There is a quorum.]

VICE PRESIDENT HARRIS: Okay, all in favor of Section 24, please say aye.

[There is a chorus of ayes.]

All opposed.

[There is a chorus of opposition.]

Abstentions?

The ayes have it. Section 24, Equal Pay.

[Motion passes.]

Please let's move on. [Side discussion with Marcus.] We will leave that for Style and Drafting.

We have a proposal for a new article and this is the last one for Rights and we can move on to the last item, which is the name of the state.

MANY VOICES: No. No. No.

DELEGATE KAMENY: That is not part of the Article on Rights. It is independent.

VICE PRESIDENT HARRIS: Oh, that is independent. Oh, okay. Article -- it relates to the committee's work.

DELEGATE KAMENY: But it is not part of it.

VICE PRESIDENT HARRIS: Article 25 proposed --

DELEGATE JORDAN: Point of order, Madam Chairman. I turned in an article last night -- I mentioned it to you earlier this evening when I got here and you said that it was going to be up. Now you are ignoring it.

VICE PRESIDENT HARRIS: I did not. I said, "We have a new article proposed." Put the newspaper up, please.

DELEGATE JORDAN: I'm sorry. I apologize.

VICE PRESIDENT HARRIS: Article 25 by Delegate Jordan. It is called "Right to Self-Defense." Please. [Rapping gavel for order.] You are not listening.

The new article 25 is called the "Right to Self-Defense" and it reads, "The right of the individual to keep arms and ammunition therefore in defense of himself and the family and to provide for the coming defense of the people shall not be infringed except to the extent as shall be demonstrated by clear and compelling state interests."

May I read it again? [Pause, no response.] Okay, discussion. Shall we move -- Delegate Jordan, do you want to move it?

DELEGATE JORDAN: Yes. I move the adoption of a new section, Madam Chair, on self-defense.

VICE PRESIDENT HARRIS: Is there a second?

[Motion made and seconded.]

VICE PRESIDENT HARRIS: It has been moved and properly seconded. Discussion. Delegate Oulahan, Robinson and somebody from the committee -- who is that? Marcus.

DELEGATE MAGUIRE: Point of order. We need to have it read again.

VICE PRESIDENT HARRIS: We need to have it read again? We need to pay closer attention.

And will somebody in the back -- Dr. Austin, if any delegates are out there, will you please have them to come in.

Okay, Delegate Oulahan.

DELEGATE OULAHAN: Madam Chair, I speak in opposition based on a substitute which I submitted on April 29. However, I am just going to stick to the language here.

The proposal made by my friend, Mr. Jordan, is contrary to representations made by the National Coalition to Ban Handguns to the Committee on Preamble. That National

Coalition consists of most of the minority -- National Student Association, National Council of Negro Women, National Council of Jewish Women. They are opposed to the kind of thing that is being proposed.

The polls in the District of Columbia favor handgun control.

Third, the right of the individual to bear arms is not guaranteed by the Second Amendment. The American Civil Liberties Union is against the right to have a handgun in your own home.

The proposal would violate the Federal Firearms Act.

The proposal equates the right to protect property using firearms with the right to protect the rights of individuals. And incidentally, statistics show -- in the documents which I filed -- that it is six times more likely that a family member rather than an intruder will be injured by a handgun kept in the home and finally --

As shown on my exhibits, handguns are a leading cause of death in the black community and reduce the life expectancy of young black males by one and one-half years.

I urge all of you to vote against this amendment.

VICE PRESIDENT HARRIS: Delegate Robinson.

[Many hands are held up.]

VICE PRESIDENT HARRIS: I would hope that all of us did not feel a need to speak on this but that we entertain two for, two against, and move the question, please.

Delegate Robinson.

DELEGATE ROBINSON: Madam Chair, I stand to speak against this new article, Right to Self-defense.

Madam Chair, I would like to share with the Delegates the fact that I grew up with guns. I was given my first gun at the age of 12. At the age of 16, I was given my second gun. I have lived in an area in a time when the use of guns has taken many of my good friends -- not in violent act but in hunting expeditions and in instances in the home where a child has been able to get hold of a gun and playfully use it in the taking of another's life.

Furthermore, I am very concerned that our United States Constitution does not in any way -- and I defy anyone to show me legally that the Federal Constitution guarantees to anyone the right to bear arms.

Lastly, I would hope that we would not -- at a time when there is a national concern, a national movement to ban the use of handguns, that we will not at this historic moment, insert in our Constitution any provisions to ensure the right of gun ownerships to citizens in this new state.

And I thank you.

VICE PRESIDENT HARRIS: Delegate Marcus.

DELEGATE MARCUS: For once, Delegate Oulahan and I are in agreement. The committee considered a provision on the right to self-defense and I might say, a long time in consideration of the right to self-defense, and rejected that.

The body should be aware that, in fact, the Second Amendment to the Constitution only provides for a collective right to bear arms. If, in fact -- if, in fact, we want to extend or the American people want to extend an individual right to bear arms, it can only be done through the state. The state is the mechanism to do that.

No one at this current moment is denied the ability to bear arms. The legislature may, in fact, extend that particular right. The legislature has extended -- the legislature of this jurisdiction has extended that particular ability at this time with limitations.

The committee does not favor this particular position and, I expect, will vote -- almost to a person -- against it.

VICE PRESIDENT HARRIS: Let me ask before I call Delegate Jordan. Is there anyone who would like to speak for the amendment?

Okay, Delegate Jordan. And will you please speak last? And afterwards, I will entertain a motion to call the question.

DELEGATE JORDAN: I would like to thank you, Madam President, for this opportunity to speak on this issue. One of the things that I understood while I have been in this convention and I have watched various delegates as we have taken this floor and supported various issues, is that we have used various arguments when it serves our purpose.

I was so happy to see a delegate stand up and make a very impassioned plea and speak for black people and on other issues in this convention, when it was a question of what was affecting black folks, he did not say a thing.

just

Now, one lie he/told -- I hate to characterize it that way -- is that handguns are the number one cause of death in the black community [reporter's note -- "leading cause"].

That is not true. The number one cause of death -- I want everyone to hear this, please, especially you sisters over there who are going to vote against me, anyway.

The number one cause of death in the black community for those between the age of 15 and 29 is suicide. Now, it does not make any difference what it is. The point is that it cites an indictment upon the society which people feel that

they can confront life, the only way they can deal with life is to cop out. That is their only way.

VOICE: For white people, too.

DELEGATE JORDAN: There are some other myths, too, about the number of children who accidentally kill themselves. Isn't it nice to throw that out without giving clear statistics?

And one thing that I would like to say about the committee, they said they had deliberations on this. That is not necessarily true. Other committees brought in expert witnesses to give their viewpoints on issues. We did not bring in one expert to give their viewpoints on this issue. And we could have done that if we had chosen to do it.

One other point I want to make, section 702 of our present Gun Control Law prohibits citizens from defending themselves in their homes --

VICE PRESIDENT HARRIS: You have got 10 more seconds.

DELEGATE JORDAN: Ten more seconds. Well, let me just run through it real quick.

Last night, I heard some delegates on the issue when we were talking about discrimination, being free from discrimination. Delegate Simmons said that it was an individual decision, that individuals should have a right to make a decision. Delegate Croft talked about certain rights being very

basic and fundamental and I looked up what "basic" and "fundamental" are.

Delegate Freeman cited that most civil rights organizations support important things and most civil rights organizations do not support gun control.

VICE PRESIDENT HARRIS: Time.

DELEGATE JORDAN: Okay. I would just hope that -- well, we are not going to have a chance, really, to deal with it but I am just saying that if we are going to be consistent, we are going to be concerned about those people in this community who are prohibited from our gun control laws, from protecting themselves and you will support this, right? Thank you very much.

VICE PRESIDENT HARRIS: Thank you, Delegate Jordan.

Delegate Robinson.

DELEGATE ROBINSON: Madam Chair, I move the previous question.

[Motion made. There are several seconds.]

VICE PRESIDENT HARRIS: It has been moved and properly seconded that we cut off debate. All in favor.

[In a voice vote, motion carries.]

VICE PRESIDENT HARRIS: So carried.

The motion before us is to add a section 25 which

— will be called "The Right to Self-defense." All in favor of the Jordan amendment, let it be known by raising your hands.

[In a vote by raising of hands, three are for, 17 opposed and three abstain. Motion loses.]

VICE PRESIDENT HARRIS: The motion loses.

DELEGATE SIMMONS: Count, please.

VICE PRESIDENT HARRIS: Oh, I'm sorry, 3 for, 17 against, 3 abstentions.

Is it Delegate Mason who will move this section?

Let me just make a statement for the clarification for our court reporter. She is having a bit of a problem because people are saying "Madam Chair," which is addressing the presiding officer and "Madam Chair" or "Mr. Chair" addressing the person who is the committee chair and for the record, it might be confusing and so it might help if you were addressing a committee chair if you said "Committee Chair Moore" or "Committee Chair Mason" and then "Chair" referring to the presiding officer. She would like to have a distinction.

Committee Vice-Chair Mason.

COMMITTEE VICE-CHAIR CHARLES MASON: I move the article on rights and the accompanying report.

[Motion made and seconded.]

VICE PRESIDENT HARRIS: The article on rights and

accompanying report has been moved and seconded -- properly seconded. All in favor.

[In a voice vote, adopted unanimously.]

VICE PRESIDENT HARRIS: So adopted. Before us -- before us -- [rapping gavel for order] -- before us is one report, additional report, from the committee that I would like to finish before we speak of any breathers and that is the committee's report on the name of the new state.

Delegate Holmes will give that report which is now before us.

Delegates, will you please give your attention to the report that is before us?

DELEGATE HOLMES: Preamble and Rights.

929 E. Street, Northwest, 9th floor.

"The Committee on Preamble and Rights submitted the following report on the name for the new state. A subcommittee was appointed to receive suggested names for a new state. Four names were submitted and there were more but they only had one or two people that had recommended them so the list is not as long as it should be but we took the four top ones, which is the State of Columbia, which received 47; North Potomac received 28; South Potomac received 22; Banneker, 6.

"The Committee on Preamble and Rights voted to

recommend the name Potomac for the new state.

"Therefore, it is the recommendation that the name of the new state be called Potomac."

DELEGATE KAMENY: Now you have got to move it.

DELEGATE HOLMES: I move that we receive the report from the Preamble and Rights Subcommittee .

[Motion made and seconded.]

VICE PRESIDENT HARRIS: It has been properly moved and seconded that we receive the report from the Preamble and Rights Committee. Discussion -- Maguire is first.

DELEGATE MAGUIRE: Madam Chair, when a motion is in order, please recognize me.

VICE PRESIDENT HARRIS: I guess what we might want to do -- and just in order of procedure, please -- we might --

DELEGATE SIMMONS: Point of order. Point of order. The motion was to receive that report. That is all. That is all.

DELEGATE KAMENY: That is all, yes.

DELEGATE SIMMONS: Then why do we need to discuss it? Why should there be debate if it is only to receive? It wasn't to adopt.

DELEGATE HOLMES: No, it is to receive the report from the committee. And this winds up our report.

DELEGATE SIMMONS: I am just thinking, Madam Chair, is discussion in order to receive a report?

SEVERAL VOICES: No, not it is not.

DELEGATE SIMMONS: That is the question I am raising.

VICE PRESIDENT HARRIS: Okay, question.

DELEGATE MAGUIRE: Madam Chair, when a motion is in order, please recognize me.

VICE PRESIDENT HARRIS: Well, we have -- it has been properly moved that we receive the report.

My question to the Secretary of this committee, who presented this report to be received is, is it to come before us for discussion? At another point.

DELEGATE KAMENY: That is up to you, not us. That is up to the Executive Committee of the Convention.

DELEGATE BALDWIN: Madam Chair --

VICE PRESIDENT HARRIS: Delegate Baldwin.

DELEGATE BALDWIN: I move that the name of the new state be Columbia.

[Motion made and there are several seconds.]

VICE PRESIDENT HARRIS: It has been moved and properly seconded that the name of the state be Columbia. We are open for discussion. Delegate Simmons and then Delegate Jones.

Delegate Simmons.

DELEGATE SIMMONS: This motion that is before us now is the name of Columbia. I want to support that name and I don't understand why we are having a difficult time --

[Reporter requests Delegate to move near a microphone.]

DELEGATE SIMMONS: I know I come through there.

VOICE: So how do you know?

DELEGATE SIMMONS: My only question is that, why bother to take a survey and then recommend something that is reflective not protective of a survey?

VOICE: It is reflective of a survey.

DELEGATE SIMMONS: So I am suggesting -- now, you don't add North and South together and tell me that you have got 50 votes when north and south is very distinctly different and you pull out one piece.

DELEGATE KAMENY: Because that is what we did.

DELEGATE SIMMONS: I see that is what you did but that is not -- you didn't put -- up there by itself.

[MANY VOICES overtalking.]

You have engaged in mischief.

VICE PRESIDENT HARRIS: Please answer.

DELEGATE HOLMES: Ms. Simmons, I did not -- when I did the first report, it was called to my attention. But really, it was a 3-up deal and of course, Dr. Kameny added it together

but I couldn't see that so you really -- the recommendation from the committee was the State of Columbia.

MANY, MANY VOICES: No. No, that was not.

DELEGATE HOLMES: Wait a minute, wait a minute. The recommendation from the subcommittee was Columbia. Now, but the committee voted -- outvoted us and took the two and added them together and came up with Potomac.

VICE PRESIDENT HARRIS: Delegate Holmes -- Delegate Holmes -- [rapping for order] -- in light of that discussion, might I ask a question of you? How many committee members voted on the name that this report reflects, Potomac?

DELEGATE HOLMES: Four.

DELEGATE JORDAN: When did they vote on it?

VICE PRESIDENT HARRIS: Delegate Robinson.

DELEGATE HOLMES: Wait a minute, let me answer this question. The meeting was Monday at 2:00 o'clock that you was invited to --

VICE PRESIDENT HARRIS: Wait a minute, Delegate Jones, before you put your hand up, I have four people down to speak. Robinson does come before you. In all fairness --

DELEGATE ROBINSON: Thank you.

VICE PRESIDENT HARRIS: It does, in all fairness.

DELEGATE ROBINSON: Thank you. Fellow Delegates, I

stand to speak in opposition to the name "Columbia." I must remind you that at such time that the new state takes its position among the 50 states, that we will still have a District of Columbia. It will be that area of the city that will probably be predominated by public buildings and monuments.

So, to name our state Columbia will cause inherent problems of recognition and separation from the current District of Columbia which will be the capital of the United States.

I would support and speak in favor of the name "Potomac." Potomac is a name that is for a river, the river that flows -- we sit on the shores and the banks of the Potomac.

Furthermore, approximately 45 to 50 other states of this Union have --

VICE PRESIDENT HARRIS: [Rapping gavel] Please give your attention.

DELEGATE ROBINSON: -- as its name -- furthermore, 35 to 40 states of the Union are named after rivers and we will be following a great tradition.

VOICE: And have Indian names.

DELEGATE ROBINSON: And have Indian names, may I say. Potomac is an Indian name. Therefore, I urge you strongly to reject the name "Columbia" and adopt the name for our new state of "Potomac."

VICE PRESIDENT HARRIS: Delegate Teresa Jones.

DELEGATE JONES: I rise in opposition to both of those names and I would like to say, like other great states of these United States that was named after the native Americans, the Indians, the great State of Kentucky, the great states of the Dakotas and Utah in Nevada and the Indian that settled this area was the Nakatchtank Indian. The proper name for him is Anacostia, as he says and I, a black, would like to amend the motion to say that we name this the State of Anacostia after the great tribe of the Nakatchtank Indians.

DELEGATE MAGUIRE: I call the previous question.

VICE PRESIDENT HARRIS: It has been amended and properly seconded that the name of the state [rapping for order] -- only one person can properly talk at one time -- that the name of the state be Anacostia.

And the next person to speak is Delegate Maguire.

DELEGATE MAGUIRE: I call the previous question.

[Previous question called and seconded.]

VICE PRESIDENT HARRIS: Delegate Maguire, I had recognized two other hands, including yours, and I would like to hear those people first. Delegate Brian Moore.

DELEGATE BRIAN MOORE: I speak in favor of Delegate Jones' amendment, the name "Anacostia." I think it does have

great historical significance. It does also combine the geographic proximity of our area to the river. Also, the historic relevance of the Indians and their heritage here in this area as well as in this country and the significant number of minorities that constitutes and their relationship to a dying minority the Indian, will also have great relevance.

So I urge my fellow Delegates to support the name of Anacostia for our new state.

VICE PRESIDENT HARRIS: Delegate Graham.

DELEGATE GRAHAM: Madam President and Delegates of this Convention, I would like to see our state named for all the far-out things that our people have said, "Utopia," because if we name it that, we know we are going to have a long way to go and it would suggest which way we are going and we are 'way ahead of many, many, many states now.

And I think if we named it "Utopia," that would be one of the very best states in the whole United States.

[Applause.]

VICE PRESIDENT HARRIS: Okay, back to the amendment on the floor, State of Anacostia. Is there any other discussion on the amendment? Barbara Maguire.

DELEGATE MAGUIRE: I call the previous question.

[Question called and seconded.]

VICE PRESIDENT HARRIS: The previous question has been called and seconded. Delegate Cassell, did you have your hand up to speak?

VOICE: How does he get a special privilege?

VICE PRESIDENT HARRIS: I don't know, he is the President.

DELEGATE CASSELL: I would like to speak to all of my fellow delegates who were laughing derisively at the last name, especially, the name of Utopia which was proposed by Delegate Graham, and request that you be serious.

Now, I support the notion that was the basis of that because I really don't see any difference between Utopia and Anacostia. Therefore, I would fully support the motion that is on the floor inasmuch as they are essentially the same, Anacostia.

VICE PRESIDENT HARRIS: The previous question has been called. All in favor of the state being named Anacostia, please raise your hand.

VOICE: We have to cut off debate first.

DELEGATE MAGUIRE: I called the previous question so we could cut off debate.

VICE PRESIDENT HARRIS: Oh, I am sorry. All in favor of cutting off debate, signify by saying aye."

[There is a voice vote to cut off debate.]

VICE PRESIDENT HARRIS: Okay, the motion before us is -- yes, Delegate Love?

DELEGATE LOVE: Madam Vice President, I would like to suggest an alternative way of doing this from the way we have normally done it.

MANY VOICES: You can't do that, out of order, etc.

VICE PRESIDENT HARRIS: No, no, it is out of order. We have already established procedures and --

DELEGATE LOVE: May I speak first? It is called "Fill in the blank" and what it would do is, you read the names and the name that gets the maximum number of votes --

VICE PRESIDENT HARRIS: No, no, I can't recognize you because the point of procedure is out of order at this time. We have a point of procedure, as you indicated when you arose to speak.

At this point, we are voting on the motion that is before us and the motion before us is to name the state Anacostia. All in favor, please --

DELEGATE GRAHAM: What about Utopia?

VICE PRESIDENT HARRIS: Utopia was not a motion. It was not seconded. It was just a discussion. So, all in favor -- please -- of Anacostia, please raise your hand as being the

state name.

[In a vote by raising of hands, the results were, 12 for, 13 opposed, one abstention.] [Motion lost.]

VICE PRESIDENT HARRIS: The motion loses, 12 for, 13 opposed and one abstention. We are back to the original motion which is to name the state -- please [rapping for order] -- to name the state Columbia, which has been properly seconded.

All in favor of the state being named Columbia, please raise your hands. Please keep your voices down and hands up.

[In a vote by raising of hands, 11 are for, 16 are opposed, 1 abstention. Motion loses.]

VICE PRESIDENT HARRIS: The motion loses. I think Delegate Robinson's hand was up before yours.

DELEGATE ROBINSON: Madam President, I stand to move that the name of Potomac as presented to this body by the committee be accepted.

DELEGATE KAMENY: Second.

[Motion made and seconded.]

VICE PRESIDENT HARRIS: Okay, it has been moved and properly seconded that the name of the state be Potomac. Discussion. [Rapping for order.] Delegates, it is difficult to hear with all the mumbling. We want to really finish this in a few minutes.

DELEGATE GRAHAM: I would like to amend the motion and I would like to make a motion that we name the state Utopia.

VICE PRESIDENT HARRIS: As a substitute for this?

DELEGATE GRAHAM: Yes, as a substitute for this.

VICE PRESIDENT HARRIS: Is there a second? There is a substitute motion --

DELEGATE SIMMONS: Second.

[Motion made and seconded.]

VICE PRESIDENT HARRIS: -- seconded by Delegate Simmons that we name the state Utopia. Discussion, please.

DELEGATE COOPER: I would like to speak against the substitute of the name Utopia. It is a very clever name and it is unique but I think that there is enough in our Constitution already that is unorthodox and I don't think we should further it by having an unorthodox name like Utopia.

It is clever. It is unique but it is just not workable, I don't think.

VICE PRESIDENT HARRIS: Delegate Robinson.

DELEGATE ROBINSON: Thank you. Madam Chair, I stand to speak against the name of our new state as Utopia.

[Totally overridden by overtalking.]

VICE PRESIDENT HARRIS: [Rapping for order.] Please,

Delegates. Delegate Freeman, Delegate Marcus, Jackson --

Delegates, it is too noisy. We cannot handle the business at hand. [Rapping] Delegate Robinson.

DELEGATE ROBINSON: Thank you. I stand to speak in opposition to the naming of our new state Utopia. I ask my fellow Delegates, given the first reading of the Constitution that we have drafted, how would they like to live under a Constitution as we have drafted so far with the privileges that you have granted with a name such as "Utopia"? And all that it conjures up.

I would highly suggest to you that Potomac, a name that is rich in history, a name that has as its roots, the name of the very important Indian tribe or group, that this name would be much more suitable than naming our new state Utopia.

DELEGATE GRAHAM: Madam President, I would like to speak to that motion. I speak with great anticipation for this Constitution passing and with all the outstanding sections that we have [Chairperson rapping for order.] and with all the outstanding sections that we have in the articles.

The most fitting name that we could have, I believe, is Utopia. We have high anticipation, great anticipation. We plan to move forward with statehood. We are going to do it

and this is the most fitting name or today, tomorrow and whenever when the time comes.

VICE PRESIDENT HARRIS: Delegate Freeman.

DELEGATE FREEMAN: I move the previous question.

[Motion made and seconded.]

VICE PRESIDENT HARRIS: The previous question has been moved and seconded. All in favor of cutting off debate, let it be known by saying aye.

[In a voice vote, debate is cut off.]

VICE PRESIDENT HARRIS: So moved. Before us is the vote on the motion by Delegate Graham to name the state Utopia. All in favor, let it be known by saying aye.

[In a voice vote, motion defeated.]

VICE PRESIDENT HARRIS: Clearly loses. Let me say before other hands appear that our Parliamentarian has advised that number one, that if a name has been once on the floor that you cannot bring it back up so if you know the rules, let's not play with them. Let's move right along.

DELEGATE ROBINSON: Point of information. The name of Potomac has not been thoroughly defeated by the body. It is still a name that can be brought back.

DELEGATE KAMENY: Right.

VICE PRESIDENT HARRIS: Thank you. In fact, that

is where we are right now, back to the original motion before it was amended by Delegate Graham and that is to name the state, Potomac.

SEVERAL VOICES: That failed. Potomac failed.

VICE PRESIDENT HARRIS: No, it did not. Columbia failed. Anacostia failed. Utopia failed. But we have not yet voted for Potomac. Do we have to have discussion on it?

Delegate Kameny.

DELEGATE KAMENY: I call the previous question.

[Question called and seconded.]

VICE PRESIDENT HARRIS: The previous question has been called and properly seconded. All in favor of cutting off debate.

[Debate is cut off by voice vote.]

VICE PRESIDENT HARRIS: Before us is a motion to name our great state Potomac. All in favor of Potomac, please raise your hands.

[In a vote by raising of hands, the result is, 5 for, 19 opposed, one abstention.]

DELEGATE KAMENY: Put the question again. I am not sure they heard with all this noise.

VICE PRESIDENT HARRIS: They heard. They heard. I am presiding, Delegate Kameny.

[Many persons call for attention of Chairperson.]

The vote count is not announced but is self-evident.] [Motion lose

VICE PRESIDENT HARRIS: Delegate Baldwin and then
Delegate Simmons.

DELEGATE BALDWIN: Madam Chairperson, I move we
put in abeyance the name of the state and move on to second
reading.

[Motion made. There are several seconds.]

SEVERAL VOICES: Please repeat. We didn't hear that.

DELEGATE BALDWIN: Madam Chairperson, I move that
we lay on the table the naming of the state and move to second
reading.

[Several seconds.]

VICE PRESIDENT HARRIS: It has been moved and pro-
perly seconded that we lay on the table the name of the state.
Point of information, Delegate Simmons.

DELEGATE SIMMONS: Yes. I would like to know, if
we succeed in the action recommended of laying on the table,
does that obviate our suggesting that a contest be held in the
schools of this city so that we might get some additional ins-
truction from young people as to what they would like the name
of this state to be?

SEVERAL VOICES: We can. We can.

DELEGATE SIMMONS: Okay.

VICE PRESIDENT HARRIS: Yes, in fact when this came up the first time, when the discussion came before the body, we instructed the committee to do that. Maybe it would help or clarify if the committee proceeded in that way.

VICE PRESIDENT BALDWIN: I would like to respond since I was the person on our committee responsible for it.

We called the superintendent. She in turn referred us to a Dr. Marilynn Brown. Dr. Marilynn Brown then contacted the Chairperson of the Student Council of the senior class at the Dunbar High School; representatives from that group came to two of our meetings. They submitted one name and they were more concerned, they said, with the whole Bill of Rights than the submission of names.

So we did, in fact, carry out the will of this body.

Delegate Nixon, in fact, was the one that made the motion that we do that.

VICE PRESIDENT HARRIS: Okay. So I guess what we are saying is that we need to further explore suggestions.

DELEGATE KAMENY: Point of order, a motion to table is undebateable. Let us vote. That is all you have the power to do.

VICE PRESIDENT HARRIS: All in favor of laying on

the table the name of the state -- Delegate Simmons -- all in favor of laying on the table the name of the state, please let it be known by saying aye.

[By voice, it is voted to table the naming of the state.]

VICE PRESIDENT HARRIS: So carried. The business before us now is the second reading for the Executive Branch Committee.

Delegate Feely and Delegate Graham will come to the front. May I give you a minute to retrieve your article on the Executive Branch?

[Brief recess.]

SECOND READING

P R O C E E D I N G S

DELEGATE GRAHAM: Will the members of Style and Drafting please join me up here?

VICE PRESIDENT HARRIS: We now ask you to turn to page 13 of your Rules because we will adhere to the Rules for Second Reading.

As you know, the Committee Chair of that committee has to approve of any amendments -- which means a two-thirds vote, is that right? -- from this body for adoption.

The Style and Drafting Committee has distributed the list for second readings for today.

Now, let me explain something to you. This list was not developed according to the way the committee initially appeared. I think it was developed with Style and Drafting with Dr. Austin according to the manner in which the articles were completed and xeroxed and that was how it was done so that we could continue to flow.

It has nothing to do with who got through with what first but which -- in which order they were completed on the word processor and xeroxed for your distribution.

I am told that very shortly -- if we have not already gotten them -- that we will be getting Finance and Tax and

Health and Housing. Okay.

Executive Branch Committee.

[Pause.]

Okay, the Executive Branch Committee is ready.

DELEGATE GRAHAM: Madam President and Members of the Convention, the Style and Drafting Committee has prepared for your review today all the articles that we had not completed or had not brought to the floor. We did, the other day, Judiciary and Preamble so we are going to have to move --

VICE PRESIDENT HARRIS: Excuse me, Delegate Graham.

DELEGATE GRAHAM: Yes.

VICE PRESIDENT HARRIS: Will Delegate Cassell and Delegate Long, since you two are in the back, please go and find us three more delegates? We need a quorum.

[Brief wait for quorum.]

DELEGATE GRAHAM: Madam Chair, this is a presentation we in Style and Drafting have got for you. Delegate Simmons, who was Chairperson of the Executive Branch Committee, will go through the entire article for your adoption.

I am sorry -- Barbara Lett Simmons.

DELEGATE MAGUIRE: Point of inquiry.

VICE PRESIDENT HARRIS: Yes?

DELEGATE MAGUIRE: What would be the appropriate

time to make an amendment? After she reads the entire article or are we coming back?

VICE PRESIDENT HARRIS: I do not think we need to read the entire article first. I think we are going section by section and if there are any approved amendments, let that be and then when we are finished, we are finished. Yes?

DELEGATE COATES: I move that we suspend the reading and deal with the amendments.

[Motion made and seconded.]

VICE PRESIDENT HARRIS: It has been properly moved and seconded that we suspend the reading and approve the amendments and as we read, we can go through and adopt. I think that might help us in our process since we all can read fairly well.

Okay, Section one, Delegate Simmons.

DELEGATE COATES: I call the vote on the suspension.

VICE PRESIDENT HARRIS: Oh, I am sorry. Thank you.

All those in favor of suspending the rules, please say --

DELEGATE COATES: The reading.

VICE PRESIDENT HARRIS: The reading of the entire article, please say yes.

[In a voice vote, motion passes.]

VICE PRESIDENT HARRIS: So moved.

Section one. Yes. Section one.

DELEGATE SIMMONS: [Moves Section one. There are several seconds.] [Del. Simmons off mic.]

VICE PRESIDENT HARRIS: It has been moved and properly seconded that we adopt section one .

DELEGATE SIMMONS: Excuse me, Madam President, because this was not on, this was not recorded, I want to be sure that -- I want to be a guinea pig. I want to do this just right so that all of you can know so that we won't have to have this lady frustrated all night or interrupting us to tell us how to do it.

This is Executive Article three, section one, Executive Power vested in the Governor. I so move.

[Motion made and seconded.]

VICE PRESIDENT HARRIS: It has been moved and properly seconded that we adopt section one as revised. All in favor, let it be known by saying aye.

[In voice vote, motion carries.]

VICE PRESIDENT HARRIS: So adopted. Delegate Simmons.

DELEGATE SIMMONS: Section two, the Secretary of State. There is an amendment approved by the Chair I would like to have introduced at this time, Madam Chair.

DELEGATE COOPER: Second.

[Motion made and seconded.]

VICE PRESIDENT HARRIS: Delegate Maguire.

DELEGATE MAGUIRE: Madam Chair, I so move in Section two, line 6 and thereafter, the words "Secretary of State" be changed to "Lieutenant Governor," and I would like to be the last speaker on that.

DELEGATE KAVENY: Second.

[Motion made and seconded.]

VICE PRESIDENT HARRIS: It has been moved and properly seconded that Secretary of State become Lieutenant Governor. Discussion? Delegate Robinson.

DELEGATE ROBINSON: Thank you. Madam Chair, I want to be brief. I was a member -- I am a member of that committee and I did discuss this with the President and other persons and we are in favor of the amendment as submitted by Delegate Maguire.

And Madam Chair, I would like to point out, as the President pointed out to me, that only Hawaii has a Secretary of State in the line of succession coming immediately below or next to the Governor and that we would be in line with the other 49 states and as the President of this Convention, Mr. Charles Cassell, said, he said to me a few moments ago, that we would feel more like a state if we had a Lieutenant-Governor as the

number two person in the state as opposed to a Secretary of State being the number two person in the Executive Branch.

VICE PRESIDENT HARRIS: Delegate Baldwin.

DELEGATE BALDWIN: Madam Chairperson, I am sure it was an oversight by the Chairman of the Executive Committee but that amendment would be out of order, to change the -- as I understand it -- to change Secretary of State to Lieutenant Governor.

We would need a -- what is the word? -- reconsideration because, see, the body has voted that we want a Secretary of State rather than a Lieutenant-Governor and I just don't know how we could even deal with that without reconsideration and our rules do not allow reconsideration.

DELEGATE MAGUIRE: This is how I was instructed to deal with this matter when it originally came up in the Executive but whether it is with our rules or not, injustice has been done because this is how I was instructed by our Executive Committee to deal with this matter so whether or not it is in the rules or not, I feel there has been an injustice done to call it out of order.

DELEGATE BALDWIN: One may amend but when it does not deal with reconsideration -- if you can see the difference, what is happening there. This body voted and debated for a

couple of hours that they did, in fact, want a Secretary of State rather than a Lieutenant Governor.

The sense of your amendment, Delegate Maguire, would be to revert back to Lieutenant Governor. If you recall, we had to change all the language. Every time Lieutenant Governor appeared, we have to then, in fact, change that to Secretary of State.

VOICE: We sure did.

DELEGATE BALDWIN: So, as I understand it, and I am sure I am correct in this, that would be a reconsideration. You would now want to go back to Lieutenant Governor.

DELEGATE MAGUIRE: I understand what you are saying but what I am saying is that the Executive Committee, whom I spoke with, had full understanding of my intentions and when I originally tried to move for unanimous consent on this on the second night of first reading of the Executive Committee, I was instructed to deal with this matter in this way and they said it would be appropriate and maybe now I am doing it, you say that is not -- that is not within our rules but that is [sic] how I was instructed and why I did not continue to be dilatory that night and fight [for] my position.

VICE PRESIDENT HARRIS: I want to proceed to Delegate Cooper.

DELEGATE COOPER: I realize this is a problem and I brought it up when the same problem occurred the other night on the second reading of Judiciary. We had an amendment that was brought forth from the floor which was in fact a reconsideration, if you will recall, and that was to insert the Appellate Court level.

I raised the issue at that time and the decision of the Chair was that he would allow such an amendment.

Now, I don't know if this body wishes to have all decisions made for the body on behalf of the Chair binding on the Chair but I would submit that the precedent has been set and that we could possibly cater to Ms. Maguire's amendment in light of what has happened or what transpired just a couple of articles ago on second reading.

DELEGATE LONG: Point of order.

VICE PRESIDENT HARRIS: One of the problems that I guess we will have -- and it was brought up the other night when that was started is that if we are to get through second readings, then if we were to follow this procedure, it would slow us up tremendously and maybe I should ask the Chair -- our President, Delegate Cassell -- since he had his hand up next to speak, anyway.

PRESIDENT CASSELL: [From back of room] You had a

point of order?

DELEGATE LONG: Yes, I wish to state that the Rules
(B) appear to be contradictory. In section 3.3(D) where it refers to when a second reading may be amended, it places no restrictions except that it has to have been submitted to the committee previously or waived by the Chair.

Then when you look in the list of motions, there is a restriction on reconsideration.

Having been the author of that restriction for reconsideration, my interpretation was that the reason the restriction for reconsideration was that there was an orderly process for bringing things before the body the second time for second reading and a third time by third reading and that during that process, amendments which met these qualifications on section 3 would be allowed, that during the debate on amendments, if it was defeated, it could not then be brought immediately before the body again on a reconsideration.

Now, in that circumstance, it could not be brought up. However, in second reading, an amendment is perfectly in order even though it has been treated before if it met the qualifications of this section on second reading.

My interpretation is that the amendment by Maguire meets the qualifications for amendment on second reading and

therefore is in order.

However, if this were now defeated, it could not come back immediately and ask for a reconsideration. That would be illegal because it has been once treated under second reading.

VICE PRESIDENT HARRIS: Delegate Cassell.

DELEGATE CASSELL: I agree with Delegate Long's interpretation of rules. I would like to -- to clarify this -- just say that on the second reading, if the Committee on Style and Drafting calls an inconsistency to the attention of the Convention, a majority of those delegates present and voting may correct that inconsistency. That is not what we are dealing with here. That is in section one.

Now, the next section, section two says, "At this time, further debate by Delegates should be allowed."

. Now, this further debate by the delegates apparently is not on inconsistency because that has been taken care of in number one so this must be for further amendments. It says, "On second reading an amendment shall be in order only if" and then it gives you the criteria --

VICE PRESIDENT HARRIS: That will need further amendment.

DELEGATE CASSELL: I beg pardon?

VICE PRESIDENT HARRIS: I mean, further debate.

It is clear to me and I thought it was clear to you that that does not mean second amendment.

Now, if you are going to entertain second amendments for the next eight articles, you are going to be second reading through Friday night.

DELEGATE CASSELL: Well, I do not understand it as you do, that is why I am making my point, right? Now, you know, you can dispose of it as you like but let me finish making my point.

I am saying, at this time further debate by delegates shall be allowed. I said that this must be something other than inconsistency since that has been taken care of.

Now, I am very mindful and I have been mindful during this Convention of the consumption of time but I think that if there is an inconsistency, as Delegate Long says, we need to find some way to deal with it, first of all in fairness and also to expedite our process.

It looks to me as though on second reading, an amendment shall be in order only if and then there are the conditions so that second reading has to do with something other than inconsistencies, as I interpret them.

And one of those conditions is that the text of

the amendment shall be typed and circulated. That has been done. It has not been introduced in substance by a delegate for consideration by the substantive committee, as far as I know. So it seems to me that is what we have to deal with.

But it would appear to me that even though we would like to expedite things that the purpose of, at this time, further debate by delegates shall be allowed, has to do with further amendments.

VICE PRESIDENT HARRIS: Okay, Delegate BALDWIN.

DELEGATE BALDWIN: Madam Chairperson, this is my last comment regarding second readings. I would like to reflect what we have done. And when I speak, the record speaks for itself because I can refer you to the date that we voted on and it is a matter of record.

Now, it appears to me what we want to do -- since this is it and we need to say this -- we have in fact, adopted second reading on our Preamble. We have in fact adopted second reading on our Judiciary Article. And specific rules were followed. We were consistent on those two.

We have before us a memo from the Parliamentarian saying rules we should follow as far as second reading. I think all of us can read in our Rules that we have adopted -- what it says -- and it does not say any of these things that I

— hear on the floor now.

It is very clear that at second reading two things can happen and should happen and that is what we have done in the past. Now, if we want to forget that, then we say that and we open all up for amendments.

There are only two types of amendments that can happen at second reading. The Parliamentarian has submitted that that is how the rules so state.

He says, "Number one, if there is inconsistency, that is when Style and Drafting develops and says to us, 'We have discovered an inconsistency.'"

They say "We may then amend it by a majority of vote."

It is very clear what an inconsistency is. Hers -- Delegate Maguire's at this time -- is not an inconsistency.

They secondly state that "If -- if a delegate has an amendment and was not allowed to present that amendment to the committee and in this case it would be the Executive Committee prior to that committee bringing it on the floor, number one, then that would be acceptable or if"-- and it is a big IF -- "or if the Chairman of that committee"-- which in this case is Delegate Simmons -- "may waive and say to that person, "Yes, you may bring forth an amendment even though it did[n't] meet

the requirements."

And those are the rules we have been following.

What we are attempting to do today -- and all of us know -- is reconsideration. To reconsider an article or a section that we spent one hour and 37 minutes on, debating the difference between a Lieutenant Governor and the Secretary of State.

What you want to do now is open that Pandora's box up again and spend two more hours on something that has been adopted by this body and I am sure anyone sitting out there would say, "That is reconsideration."

You may ignore it but I think at this time we have got eight more articles to go or seven and a half articles. We should take some time up and say the rules we will follow -- meet by common consent and throw all the rules out or whatever -- but just be consistent.

We are not being consistent with these articles that we have adopted for second reading. That is final, as far as I am concerned.

VICE PRESIDENT HARRIS: Thank you, Delegate Baldwin.

I think what he has stated is very clear. I will hear from the two persons whose hands are [up] on the floor and then we will move right on.

Now, Delegate Lockridge.

DELEGATE LOCKRIDGE: I know what Delegate Long means about inconsistent but I also think we have to look at being fair and just. We Delegates sitting out here look to the officer sitting on that stage for guidance and if you will go back to the transcript of the second day of our reading the Executive Articles, Delegate Maguire looked to you four sitting on that stage for guidance and asked, "At what time will I be able to do this?"

You all sitting up there -- I cannot recall the person who instructed her -- but she was instructed from that stage what to do and she has done today just what she was instructed to do.

DELEGATE BALDWIN: [Inaudible query.]

DELEGATE LOCKRIDGE: I am talking about the Executive Committee sitting up there and if you are that concerned about it, go back to the transcript.

VICE PRESIDENT HARRIS: We think that it is important -- the committee is important, who gave that permission because they might have a rationale for it. I do not.

DELEGATE MAGUIRE: I was interrupted and if you don't believe that, go back to the transcript.

DELEGATE LOCKRIDGE: Go back to the transcript.

DELEGATE MAGUIRE: I do not want to be responsible for holding up this Convention or being against the rules at all so I guess I will withdraw my amendment --

MANY VOICES: No. Oh, no.

DELEGATE MAGUIRE: No, I really -- you know, such an injustice really has been done and in the first place of involvement, it was not an hour and 30 minutes that was spent on this debate. It was a very quick debate and the maker of the original motion of the Secretary of State was not concerned with the name and in fact, not even 24 hours later, came to me and also today, said that he was not concerned with the name and that he would be just as pleased and happy to have the name Lieutenant Governor as Secretary of State. And we did not spend an hour and 30 minutes on the name.

We did not do that. We spent maybe five or ten minutes which was the problem and I was not allowed to bring it back up.

VICE PRESIDENT HARRIS: Thank you, Delegate Maguire. Delegate Simmons.

DELEGATE SIMMONS: Madam Chair, I -- the information that I got from the President of the body in writing was a copy of instructions from the Parliamentarian who said, "If the Chair waived the rules and accepted the amendment, that that

— was in order" and as Chair, I certainly waived and accepted as in order the amendment that Delegate Maguire wishes to place before us.

VICE CHAIRMAN HARRIS: Delegate Cooper.

SECRETARY COOPER: Madam Chair, I move for suspension of Rule 4.1(o) entitled "Reconsideration."

DELEGATES SIMMONS, KAMENY and others: Second.

[Motion made and seconded.]

VICE PRESIDENT HARRIS: It has been moved and properly seconded that we suspend Rule 4.1(o) Reconsideration.

Discussion. Delegate Mason.

DELEGATE CHARLES MASON: I am rising on the merits on the matter and I will point out that assuming that all the other requirements of the matter for consideration at second reading have been met, eventually action on this matter will require a two-thirds vote. And I will reserve my discussion on the merits until later.

DELEGATE LONG: Point of order. The motion to suspend the rules is not debateable.

VICE PRESIDENT HARRIS: We have before us the motion to suspend Rule 4.1(o) Reconsideration by Delegate Cooper. All in favor of suspending the Rule --

[Pause for side conference.]

DELEGATE ROTHSCHILD: Point of order. I don't think we have a quorum to vote on the motion.

[Pause to count delegates and assemble a quorum.]

SECRETARY COOPER: There is a quorum.

[At this point, President Cassell takes the Chair.]

PRESIDENT CASSELL: All right, it has been moved and seconded that we suspend Article 4.1(o) which is the article on Reconsideration. Those in favor of the suspension, indicate by saying aye.

[In a voice vote, motion carries.]

PRESIDENT CASSELL: Motion carries.

Mr. Cooper.

SECRETARY COOPER: I believe that now Delegate Maguire's amendment would be in order.

SEVERAL VOICES: Yes.

PRESIDENT CASSELL: It would indeed.

Delegate Mason.

DELEGATE CHARLES MASON: I rise to address the merits of the proposal. Is this a proper time?

PRESIDENT CASSELL: Just a moment, now, we have a motion on the floor. Delegate Maguire.

DELEGATE MAGUIRE: In section 2, line 6 and thereafter, I move that the word Secretary of State be changed to

Lieutenant Governor and I would like to ask for permission to be the last speaker.

PRESIDENT CASSELL: Delegate Mason.

DELEGATE CHARLES MASON: I rise to oppose this recommendation for the following reasons; that a Secretary of State has very important duties to carry out throughout the year.

He has to run elections, he has to in most states maintain a record of births, marriages, deaths and so forth. And innumerable state documents have to be signed and sealed by him. All commissions issued by the Governor and signed and sealed by him.

There is a long array of duties.

The Lieutenant Governor, in a great many states, has nothing to do except wait for the Governor to die and, I presume, study what is going on so he will be ready to step into the Governor's Chair if that were necessary.

But it seems to me that what we should stress is not the fact that this officer might take the place of the Governor if he should die -- which probably won't happen -- but we should stress the work that the man or woman is currently doing and that is, dealing with elections, initiatives, referenda, records, issuing documents and so forth. That is his current work, not what he might potentially do if an unfortunate occurrence

should happen such as the death of the Governor so therefore, I oppose this [amendment.]

PRESIDENT CASSELL: May we have a discussion on the prior motion by a member of the committee? Delegate Simmons.

DELEGATE SIMMONS: It is not for me to speak now.

[Side conference.]

PRESIDENT CASSELL: Is she not speaking --

VOICE: No.

PRESIDENT CASSELL: Is she speaking for Style and Drafting?

[Committee answering off all microphones, not audible -- conferring with President Cassell.]

PRESIDENT CASSELL: Well, first of all, now, this is a presentation of Style and Drafting. Now, if you have asked her to make a presentation, fine.

All right, then she is speaking for Style and Drafting, then, as the Chairperson of the Executive Committee.

Delegate Simmons.

DELEGATE SIMMONS: Mr. President, I support the change.

PRESIDENT CASSELL: [Rapping gavel.] Please, please. Delegate Simmons has been recognized.

DELEGATE SIMMONS: I support the change and would

want it very clear that what Delegate Mason uses as arguments to oppose the change are not insurmountable.

As a matter of fact, you can ascribe the duties of any person by any name. We could call the number two person a chimpanzee, if we wanted to. It is what we ascribe the duties to be and because the Secretary of State generally-known-functions are carried out by Secretary of State in some places it also can be the responsibility of someone titled Lieutenant Governor.

There is no law that says that the words Lieutenant Governor or that title must exclusively be reserved for someone to sit and wait for the Governor to die.

PRESIDENT CASSELL: All right, further discussion.

Delegate Robinson.

DELEGATE ROBINSON: Mr. President, I stand as a member of the Executive Branch Committee of which Ms. Barbara Lett Simmons is our chairperson and I stand to speak in support of the amendment as offered by Delegate Maguire.

May I please say, sir, that 49 of the other 50 states have, as the number two person in the Executive Branch, a Lieutenant Governor. The only state not having as the number two person in the Executive Branch would be the State of Alaska, who has the Secretary of State as being the number two

person.

I believe, sir, that this amendment replacing the name Secretary of State with Lieutenant Governor would place us broadly along with the other 50 states and I also believe, sir, that it would make us more state-like to incorporate the words Lieutenant Governor in all sections of this article where the word Secretary of State is found.

PRESIDENT CASSELL: Delegate Brian Moore.

DELEGATE BRIAN MOORE: I stand, sir to ask, as the original maker of the motion, in my preliminary discussions with Barbara Maguire, I had no problem with the change based on the understanding that the Lieutenant Governor would perform the same functions as the Secretary of State would perform, as long as the legislature prescribed that by law.

But I would like to ask Mr. Mason, my fellow Delegate who is knowledgeable in this area, does he see any problem with that assumption, that if we transfer from a Secretary of State to a Lieutenant Governor and give the same functions to the Lieutenant Governor as we were prescribing for the Secretary of State, is there any problem with that?

DELEGATE CHARLES MASON: I suppose what the person really does is more important than what he or she is called.

DELEGATE BRIAN MOORE: Right.

DELEGATE CHARLES MASON: However, I pointed out, I think, when we were discussing it at first reading that there is something psychological in the title of Lieutenant Governor that tends to be a political -- and in the best sense of the word -- a political person running with the Governor to take his place and I, in fact, oppose our previous decision to have them tied together on the ballot, on the grounds that in some states -- notably Massachusetts -- although the Secretary of State is an elected office, an elected period just as the others, the Governor and Lieutenant Governor now, for many years, the same persons are elected over and over again.

Parties came and parties went with Lieutenant Governors and Governors but the Secretary of State, although elected every four years or whatever the term was, became a de facto career person. In other words, he was very expert in the kinds of work that he did and really, nobody challenged him. And --

PRESIDENT CASSELL: Okay, Delegate Mason, I think that these are things that you have said to us before.

Delegate Moore, were you speaking for -- were you speaking for this amendment? You said that you had no problem with it. Does that mean that you are for it?

DELEGATE BRIAN MOORE: I have a problem with it but I -- I am in doubt right now so I would still like to think

about it. I would like to hear more speakers on it.

PRESIDENT CASSELL: All right, Delegate Long.

DELEGATE LONG: I call the previous question.

[Previous question called and seconded.]

PRESIDENT CASSELL: It has been moved and seconded that we terminate debate on this. Those in favor, indicate by saying aye.

[By voice vote, debate is closed.]

PRESIDENT CASSELL: Okay, motion on the floor.

I am going to allow one more against and then we will vote.

A DELEGATE: I call the previous question.

PRESIDENT CASSELL: Previous question has been called. Yes. Now I will allow you to speak to yours.

DELEGATE LOVE: Fellow Delegates, first of all, from the perspective of our Style and Drafting Committee, this is a change that will require changes in several articles. I think there is always a chance that we will make a mistake.

I would also like to point out that what this person does is what a Secretary of State does. He keeps the Great Seal. He runs elections. He certifies initiatives. He certifies referenda. He certifies recall elections. He keeps the state's records. He is a Secretary.

He does not sit around opening bridges and roads and waiting for the Governor to do something.

The duties we have assigned this person are real duties. He acts like a Secretary. He stamps letters with the Seal of the State.

That is not what a Lieutenant Governor does. In a way, it does not matter what we call this person but the fact is, this person has to act as a Secretary and I think that because he or she has to act as a Secretary, they should be called a Secretary and not a Lieutenant Governor.

Thank you.

PRESIDENT CASSELL: Okay, last speaker, Maguire. For.

DELEGATE MAGUIRE: "There shall be an elected Secretary of State whose required duties shall be prescribed by law."

They are not assigned yet, what those duties shall be. And --

DELEGATE LOVE: Just in case our --

DELEGATE MAGUIRE: I have the floor, Delegate Love.

My argument for changing the name to Lieutenant Governor is a simple one. It is merely a name change. There is over 17 states that right now presently have Lieutenant Governors that serve the functions of Secretary of State and

as was recommended by the model state constitution.

My simple argument is that, why do we need to stick out like a sore thumb when there is no reason to? If it does not make a difference either way, why do we have to stand out?

That is all I have to say for it.

PRESIDENT CASSELL: Okay, the question was called but I allowed her to speak because she had asked for that right as the maker of the motion, Delegate Love.

Very good. Those in favor of the amendment to change on line 6, section two, the words Secretary of State to Lieutenant Governor, indicate by saying aye.

[After a rather indeterminate voice vote, a vote is made by raising of hands; 16 Delegates are in favor, 4 are opposed, no abstention.]

VOICE: Mr. Chairman, I want a quorum count. [Repeats.]

PRESIDENT CASSELL: I heard you.

[Vote is concluded.]

PRESIDENT CASSELL: All right, what is the count, please?

DELEGATE COOPER: Sixteen in favor, four opposed.

VICE PRESIDENT BALDWIN: There were only 20 people who voted.

PRESIDENT CASSELL: All right, that is a two-thirds.

— There has been a call for a quorum count.

VOICE: You have to be recognized. You can't just call for a quorum count.

PRESIDENT CASSELL: Yes, yes, there is a proper way to do that but since it has been demonstrated that there is no quorum -- or, let me find out whether there is --

[Side discussion, Executive Officers.]

PRESIDENT CASSELL: All right. Motion carries. Let me point out that we have suspended the rules. Our Rule 4.10 was suspended for the purpose of allowing discussion on this article.

I would point out to you that the only reason I believe that our ruling was made is because there had been a prior commitment to Delegate Maguire that she should have an opportunity and she was instructed that she would have an opportunity to bring this up on this occasion.

We are back to our rules now for this convention and that is that there are no amendments or substitutions unless there is an indication that there is an inconsistency or if, indeed, the chair waives the right to have her permission or his permission.

Yes, sir.

VICE PRESIDENT BALDWIN: There were only 20 people in the room when we voted. I know it does not matter but there

were only 20 people in the room when we voted. Two came in since then, Delegate Thomas and Delegate Mason. I would just like for the record to reflect that.

PRESIDENT CASSELL: All right. The Chair was proceeding on information from the Secretary. Mr. Clarke.

DELEGATE CLARKE: Mr. Chairman, I rise to inquire from the Secretary whether the motion to suspend was limited in purpose of Delegate Maguire's motion or whether the motion to suspend article 4 consists of the motion to suspend article 4?

SECRETARY COOPER: The intention was for Delegate Maguire. However, technically, it was suspended for the remainder of the session. I was going to move to unsuspend..

DELEGATE CLARKE: Mr Chairman --

PRESIDENT CASSELL: Yes, Delegate Clarke.

DELEGATE CLARKE: Yes, I desire -- [almost inaudible.]

PRESIDENT CASSELL: Delegate Clarke.

DELEGATE CLARKE: I am speaking, sir. Let me get my words together because I want to put this right.

Until 3:00 o'clock last evening and most of the day, we have considered a Bill of Rights. The Bill of Rights that we have considered reflects, I honestly believe, the sincere sentiments of the people who are in this room and the membership of these conventions.

I have known many of the people in this room . I have struggled with them in many struggles and some of this is reflected in the Bill of Rights -- the reflection of those struggles.

PRESIDENT CASSELL: Delegate Clarke, let me inform you --

DELEGATE CLARKE: I am speaking, sir, I wish --

PRESIDENT CASSELL: Yes, I want to --

DELEGATE CLARKE: I am trying to get my words in order and I --

PRESIDENT CASSELL: Sir, I want to find out whether you are in conformance with the Agenda which is in effect at this particular point. It was announced -- I think before you came into the room -- that we are now on the Second Reading, the first of which is the Executive Committee.

We have just had an amendment to the First Article, the Second Section of the Executive Article. You do not appear to be speaking to that. You appear to be speaking to something that transpired last night.

DELEGATE CLARKE: It was voted to suspend reconsideration so motions for reconsideration are in order.

PRESIDENT CASSELL: No, indeed. As we have indicated, the purpose of allowing that was to be fair to a delegate who

had been instructed previous to this meeting that she would have an opportunity to raise an amendment.

Now, there is some conflict as to whether that was appropriate or not. We are essentially trying to be fair and to perform on a commitment that was made.

The Chair's purpose in listening to that was, simply, to honor a prior commitment. The Chair does not countenance at this time any other suspension or any other proceedings in accordance with suspension.

We are back to our Rule.

DELEGATE CLARKE: I would like to hear from the Secretary what the motion was. I am advised that the motion on reconsideration -- that the rule on reconsideration was suspended and I think that that is right and I think that it is good that we are setting a standard.

Now, I am prepared to present this at a different time, if that is what you wish, sir, but I think that we stand in a much better procedure now and I think we will find in the Convention that that motion was open-ended.

Now, if you are saying that a motion for reconsideration with respect to the Bill of Rights should come forward at the time that the Bill of Rights comes up for Second Reading, then I am prepared to meet that.

—

But the adoption by the body of the suspension for the reconsideration of rules -- and I suggest to this Convention that we allow that to stand. It would give us the flexibility we need, I think.

Now, if you ask me to express my concern at another time, I will be glad to do that.

PRESIDENT CASSELL: Well, upon reflection, the Chair thinks that perhaps that is a good idea except that the Chair feels also that it will take us considerably longer to complete our Second Readings than by 3:00 o'clock this morning.

I recognize that there are things that we might want to review. I recognize also that we are dealing with the Constitution's purpose /to move us toward our statehood, not to express a lot of ideology.

But the difficulty is the time. Let me find out the feeling of the body. Let me see a show of hands, those who believe that -- not technically speaking but for the good and the expedition of this process -- that we should let that ruling to suspend stand for the rest of this evening?

VOICE: What was the ruling to suspend?

PRESIDENT CASSELL: It was the motion to suspend the Rule 4.10 and we did that -- the Chair did that -- or accepted that for the purpose of allowing Delegate Maguire to make

an amendment that was promised to her at a previous meeting.

It has been pointed out that, indeed, that is open-ended, technically speaking.

I want to know how many people would like to let that ruling stand as, technically, it should.

Yes.

DELEGATE SIMMONS: Fellow Delegates, I would like to speak to this motion -- the suggestion or the inquiry that the President raises. I think that we can't have spent 13 hours being concerned about individual liberties and rights and dealing with a document to make a state which will allow for an ideal kind of quality of life and indeed, an entirely high-level new road of operating for a state's citizenry and its sovereignty and then turn around and engage in putting ourselves into a straitjacket. I mean, that is kind of paradoxical.

What I am suggesting is that for those who fear that that becomes an escape clause to let endless dialogue obtain, I suggest we have an anecdote for that, and that is to move the previous question and close debate. So I don't think that to support what is consistent with our last 14 to 20 hours of dialogue and to support this motion in a consistent way puts us in a position of eternal, ^[fluent] fluid, oral expiation.

I think we still could succeed in achieving our goals and have lived, at least temporarily, by what we are advocating for this state, the new state.

DELEGATE LONG: Point of order.

PRESIDENT CASSELL: State your point of order, sir.

DELEGATE LONG: The rule to suspend the rule is not open-ended. We do not have such a motion. See Chapter 4, Rule 4.1(H) on page 16. The Rule reads, "To suspend the Rules for a particular purpose."

Although the motion was stated clearly that it was for a particular purpose of making this amendment, there is no rule which is open-ended. You can't have an open-ended motion of that kind.

PRESIDENT CASSELL: I think Delegate Long has made a good point. To suspend these rules for a particular purpose is the motion. It may apply to what motions -- any motion where needed and the effective past is to allow the Convention to take a necessary action being prevented by these rules.

There was an action. That action has been taken. It would seem to the Chair, then, that the rules are no longer suspended.

Delegate Baldwin.

VICE PRESIDENT BALDWIN: My point is my concern that

I know what the maker of the motion said. I happen to know what the motion was.

Delegate Cooper has admitted what his motion was. He was saying, technically, his intent was but to take care of one situation. He said his motion was to take care of one situation. But technically, he wanted it to stand for the duration of this Convention. And that is exactly what it was and that is why I suggested earlier that we ought to agree on what rules we want to govern, really.

Now, we made that motion and that motion did not restrict itself to Delegate Maguire. It did not restrict itself to Delegate Maguire. The maker of it still says what the motion was and I concur that he is right.

We need to determine what is involved to decide what rule we want to follow for Second Reading. And we still can't agree on it.

PRESIDENT CASSELL: Well, let's try to be clear once more for the purposes of my ruling. That is, that the motion to suspend our rules is clear. It is on page 17 and it reads, once more, "To suspend these rules for a particular purpose." The particular purpose is something that is addressed and accomplished.

It may apply to any motion where needed. Its

effective past is to allow the Convention to take a necessary action being prevented by these rules.

A necessary action has taken place. Delegate Maguire has made her motion. The motion has passed.

The Chair rules that the suspension is no longer in force unless there was another request for a suspension for a particular purpose.

Now, I would hope that we can proceed with a minimum of suspensions of the rules. We have eight second readings to accomplish. They can be lengthy, you know. I would hope that we don't have to be here until 2:00 or 3:00 o'clock in the morning again. I would like to proceed.

Delegate Graham.

[Side conference of committee.]

DELEGATE SIMMONS: Mr. President, before we proceed, the reporter has asked if we could take a very brief recess so she can be replaced.

PRESIDENT CASSELL: All right, yes, we are changing reporters. Therefore, let us have a five-minute recess.

[Whereupon, a brief recess is taken.]

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PRESIDENT CASSELL: Fellow delegates, the recorder is now ready to continue, so I want to declare that the convention is back in session. Please, would everybody come in to your seats, and we will continue with the second readings of Article III on the executive branch of the state? May we be seated, ladies and gentlemen?

Is the Style and Drafting Committee ready?

MS. GRAHAM: Yes, Mr. President.

PRESIDENT CASSELL: Let me tell you where we are now. We have had one amendment to Section 2. To make certain that we are proceeding in an orderly manner and that we do not lose time, I want to read to the delegates -- would you try to get people in here now? I don't want to read to 10 or 12 people.

Delegate Mason, would you ask the people in the back room if they would come in? We're reconvening. I would like to prevail on somebody on the Style and Drafting Committee to step out into the lobby there and ask people to come in, please.

(Pause.)

PRESIDENT CASSELL: Delegate Barnes, would you bring anybody who is in the back room there, please -- back in the kitchen, in the back room?

MR. BARNES: Yes, sir.

PRESIDENT CASSELL: Delegate Love, is anybody in the hall there?

MR. LOVE: Not immediately.

PRESIDENT CASSELL: See if there is anybody down the line there. Delegate Garner, welcome; come right in.

MR. COOPER: Welcome.

PRESIDENT CASSELL: Come right in and sit down, take a seat; we're ready to vote.

Delegate Graham?

MS. GRAHAM: Yes, Mr. President?

PRESIDENT CASSELL: Before you begin, I want to read to you some points that were given to us by our parliamentarian, who was not able to be with us today, but he has made some recommendations to speed up our process and to make sure that we are efficient and correct. Let me read these to you. These are from Mr. Cal Lindo, our parliamentarian, and I intend to follow these.

"Mr. President, the following are some problems which, if corrected, will speed up the convention. One: point of order. Members call points of order which are not points of order. A point of order has to do with the administration of meetings and procedures. For example, a member speaking without being recognized by the Chair is a valid situation for

which a point of order may be called. A member disrupting another member who is speaking -- one can call a point for that.

"Administration and procedures: A point of order does not relate to the substance of a main motion." Let me repeat that. A point of order does not relate to the substance of a main motion. "If a person calls a point of order that is not a point of order, Mr. Chairperson, you should declare the point of order out of order and move on.

"Number two: a question of privilege. A member raises a question of privilege when he is personally affected by what is going on around him; for example, too much noise or movement, et cetera." That's what a personal privilege is; you've got a problem, something which makes it difficult for you to function or hear -- you know, there's a fire out in the hall.

Now, he has given us information on second readings. "One: Amendments can only be considered if there are inconsistencies, and that's the purpose of the second reading, or if the committee chair waives any objections. Other than that, there aren't any other amendments on second reading."

MR. COOPER: There was one that you left out.

PRESIDENT CASSELL: "General observations: Dilatory

motions, delay tactics, et cetera, should be ruled out of order, and you should move on." The Chair has to make that decision. I'm going to try to follow those as scrupulously as I am able.

Delegate Graham?

MS. GRAHAM: Yes, Mr. President. Mr. President, we will proceed. Ms. Simmons, who is the chairperson of the Executive Committee -- she was, and she's a member of the Style and Drafting Committee. She will go through the Executive articles that we have.

PRESIDENT CASSELL: Delegate Simmons?

MS. SIMMONS: Thank you. I believe that we have arrived at Section 3, "The Attorney General," on page 2.

PRESIDENT CASSELL: We have one amendment to Section 2 which we didn't adopt.

MS. SIMMONS: We haven't acted on that?

PRESIDENT CASSELL: No.

MS. SIMMONS: I'm sorry. Prior to the break, we had entertained the amendment sponsored by Executive Committee member Barbara Maguire with regard to striking the words "Secretary of State" and changing it to "Lieutenant Governor," and that being consistent thereafter.

She had moved it and I had seconded it, so I guess

we are ready for the question. I would like to move the previous question.

PRESIDENT CASSELL: Yes. The previous question has been moved. Those in favor of terminating debate and voting, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

MR. BARNES: Mr. President, we don't have a --

PRESIDENT CASSELL: Those in favor of adopting -- what did I hear, a point of order?

MS. FEELEY: A quorum call.

MS. SIMMONS: Why call a quorum when we're doing something that's not controversial.

MR. BLOUNT: Mr. Chairman?

PRESIDENT CASSELL: Yes, delegate Blount?

MR. BLOUNT: I'm sure the delegates are aware of the fact that unless you call for a quorum call, we will proceed with the business.

MS. SIMMONS: That's right.

MR. BLOUNT: I would suggest that once we get a

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quorum, don't call for a quorum.

PRESIDENT CASSELL: There's a motion on the floor. The motion is to adopt Section 2, as amended. Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(There was one "nay.")

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 2 is adopted. Delegate Simmons?

MS. SIMMONS: I move the adoption of Section 3, "The Lieutenant Governor," as amended.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 3, as amended, be adopted. Discussion? Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those in favor of adopting Section 3, as written, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 3 is adopted. Delegate Simmons?

MS. SIMMONS: Section 4, "Election of Governor and Lieutenant Governor."

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 4 be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion -- delegate Barnes?

MR. BARNES: Point of information. Delegate Simmons said "Lieutenant Governor."

PRESIDENT CASSELL: Yes. While you were out, there was an amendment that changed "Secretary of State" to "Lieutenant Governor." Further discussion?

(No response.)

PRESIDENT CASSELL: There being no further discussion, those in favor of adopting Section 4, as amended, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

MR. LOVE: Mr. Chair?

PRESIDENT CASSELL: Yes, delegate Love?

MR. LOVE: Fellow delegates, this is probably the last time you'll have a chance to read through this and pick out punctuation or spelling or other errors. I would urge you as we go along to read those and help us in Style and Drafting to find anything. It's now on the word processor. If we don't pick it up now, we may never pick it up. So, please read as we go along and see if we've made any errors. Thank you.

PRESIDENT CASSELL: If we're going to do that, let us not have to take a vote each time. If you see something that's obviously an error, just point it to our attention and let them pick it up, okay?

Delegate Simmons?

MS. SIMMONS: I move the approval of Section 4, as amended.

(The motion was duly seconded.)

PRESIDENT CASSELL: One moment.

MS. MAGUIRE: We've done that one.

MS. SIMMONS: Oh, I'm sorry.

PRESIDENT CASSELL: We're on Section 5.

MS. SIMMONS: You finished that one?

PRESIDENT CASSELL: We're on Section 5.

MS. SIMMONS: "Powers of the Governor," Section 5, I so move, Mr. President.

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 5, "Powers of the Governor," as read, shall be adopted. Is there discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those in favor of adopting Section 5, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 5 is adopted. Delegate Simmons?

MS. SIMMONS: Section 6, which is on page 5,

"Budget" -- I move the adoption of Section 6.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 6, "Budget," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those in favor of adopting Section 6, as read, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 6 is adopted. Delegate Simmons?

MS. SIMMONS: I move the adoption of Section 7, "Principal Departments."

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 7, "Principal Departments," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those in favor of Section 7, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Delegate Simmons?

MS. SIMMONS: Section 8, "Boards and Commissions" --- I move the adoption of Section 8.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 8, "Boards and Commissions," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor of adopting Section 8, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 8 is adopted. Delegate

Simmons?

MR. THOMAS: Point of order, Mr. Chairman.

PRESIDENT CASSELL: State your point.

MR. THOMAS: I don't think we have a quorum.

MS. SIMMONS: Are you calling for one?

PRESIDENT CASSELL: Delegate Thomas, while we're reading this, would you help us to get the people in the halls back in here, please?

MR. THOMAS: Yes.

PRESIDENT CASSELL: Thank you. Delegate Simmons?

MS. SIMMONS: We have an amendment to Section 9 which has been accepted by the committee and the committee chair on line 18 -- delegate Maguire's amendment.

MS. MAGUIRE: Mr. President, I move that we add to Section 9, line 18, "Appointments not finally acted upon within 60 session days stand confirmed."

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that on line 18 the language be added thusly: "Appointments not finally acted upon within 60 session days stand confirmed." Discussion?

MS. SIMMONS: I move the previous question, Mr.

President.

(The motion was duly seconded.)

PRESIDENT CASSELL: Discussion?

MS. SIMMONS: Excuse me.

MS. MASON: Did I hear you say "finally?" I don't think she had "finally."

MS. SIMMONS: Yes, it says "finally."

MS. MAGUIRE: "Appointments not finally acted upon."

PRESIDENT CASSELL: "Appointments not finally acted upon within 60 session days."

MS. MASON: Thank you.

PRESIDENT CASSELL: Further discussion?

MR. LOVE: Would you read it one more time?

PRESIDENT CASSELL: Yes. The amendment is to add on line 18, Section 9, this sentence: "Appointments not finally acted upon within 60 session days stand confirmed."

Any further discussion?

(No response.)

PRESIDENT CASSELL: Those in favor of adopting that amendment, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: All right. We're back to the original motion, Section 9, as amended. Discussion?

MS. SIMMONS: I move the adoption, with the amendment, Mr. President.

PRESIDENT CASSELL: That has already been seconded. Those in favor of adopting Section 9, as amended, please indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Delegate Simmons?

MS. SIMMONS: I move the adoption of Section 10, "Vacancies."

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 10 on vacancies be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those

in favor of adopting Section 10, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Delegate Simmons?

MS. SIMMONS: On page 7, Section 11, "Compensation" I move the adoption of Section 11 on compensation, Mr. President.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 11 on page 7, entitled "Compensation," be adopted. Is there discussion on that?

MR. BRUNING: I move the previous question.

(The motion was duly seconded.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: I was about to call that before you call the previous question, so we won't take a second vote on that. Delegate Simmons?

MS. SIMMONS: On page 3, Section 12, "Executive Residence" -- Mr. President, I move the adoption of Section 12.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 12, "Executive Residence," on page 3, be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor of adopting Section 12, as written, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Delegate Simmons?

MS. SIMMONS: Section 13, "Succession to the Governorship" -- I move the adoption of this section, as written.

PRESIDENT CASSELL: Second? Is there a second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 13, entitled "Succession to the Governorship," on page 8, be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those in favor of adopting Section 13, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Those abstaining?

(No response.)

PRESIDENT CASSFLL: Section 13 is adopted. Section 14?

MS. SIMMONS: Section 14, which is the final section to this article on Executive -- I move the adoption, as written.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 14, "The Great Seal," on page 8, line 21, be adopted. Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 14 is adopted, and the article is completed.

MS. SIMMONS: Mr. President, I move the adoption of Article III on Executive, as amended, and this concludes the second reading.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that the Article III on the Executive Branch be adopted. Those in favor, indicate by saying aye.

MS. SIMMONS: As amended.

PRESIDENT CASSELL: As amended.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Those abstaining?

(No response.)

PRESIDENT CASSELL: Article III, "Executive Branch," is adopted. Delegate Simmons, and the Style and Drafting Committee, congratulations.

MS. SIMMONS: Thank you.

(Applause.)

MS. SIMMONS: Mr. President, I am sure that we can move right along this evening and complete these other six second readings.

PRESIDENT CASSELL: I'm sorry?

MS. SIMMONS: I only wanted to say that I'm very sure that we could move right along and get the second readings of the other six articles which are before us tonight, and we could probably do that before the bewitching hour.

PRESIDENT CASSELL: Delegate Graham, chairperson of the Style and Drafting Committee?

MS. GRAHAM: Yes?

PRESIDENT CASSELL: May we have the education report next?

MS. GRAHAM: We don't have that, Mr. President.

PRESIDENT CASSELL: The legislation chairperson is not here.

Ms. Jones, let me ask you this. We are trying to get what appear to be the simple, easy items done first. Would you have any objection to our doing education next?

MS. JONES: No.

PRESIDENT CASSELL: Thank you.

MS. GRAHAM: Mr. President, we need a little more time for education.

PRESIDENT CASSELL: All right.

MS. GRAHAM: We are ready for legislature, we are ready for health, housing and social services. We also have economic development. We could go with any of them.

PRESIDENT CASSELL: Health, housing and social services -- are you ready to do that?

MS. GRAHAM: We're ready to do that now, Mr. President.

PRESIDENT CASSELL: Very good. May we go to that? Do you have copies of that?

MS. GRAHAM: We're passing them out now.

PRESIDENT CASSELL: All right.

(Pause.)

PRESIDENT CASSELL: Delegate Graham?

MS. GRAHAM: Yes. Mr. President --

PRESIDENT CASSELL: Ladies and gentlemen, we are now on health, housing and social services, article number so-and-so.

MS. GRAHAM: We don't have an article number for that yet, so I will not assign a number right now. But we are getting ready to give it one.

PRESIDENT CASSELL: There's only one article, isn't there?